

JUL. 6. 2004 2:04PM

TTC-PA 650-326-2422

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OFFICIAL

Atty Docket No. 022370-000210US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner R. Schwadron
TELEPHONE NO.: (571) 272-0851

Group Art Unit 1644

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER R. SCHWADRON

CERTIFICATION OF FACSIMILE TRANSMISSION

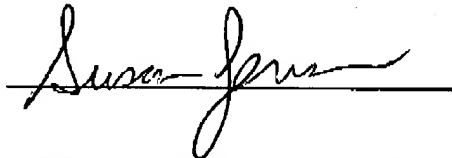
I hereby certify that the following document(s) in re Application of MILTENYI et al., Application No. 08/416,920, filed April 21, 1995 for DIRECT SELECTION OF CELLS BY SELECTION PRODUCT is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form (1 pg);
2. Fee Transmittal Form (1 pg) - in duplicate; and
3. Supplemental Amendment (50 pgs)

Number of pages being transmitted, including this page: 54

Dated: July 6, 2004



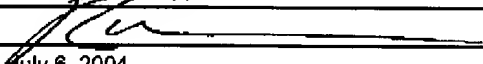
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Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 650-326-2400
Fax: 650-326-2422

60254454 v1

PTO/SB/21 (02-04)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/416,920
	Filing Date	April 21, 1995
	First Named Inventor	MILTENYI, Stephan
	Art Unit	1644
	Examiner Name	R. Schwadron
Total Number of Pages in This Submission	Attorney Docket Number	022370-000210US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (In duplicate) <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD. Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Amendment/Reply (50 pgs) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks The Commissioner is authorized to charge any fees or credit any overpayment to Deposit Account 20-1430	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Townsend and Townsend and Crew LLP Randolph Ted Apple Reg. No. 36,429	
Signature		
Date	July 6, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, facsimile number (703) 872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Susan Jensen		
Signature		Date	July 6, 2004

60253952 v1

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 36.00**Complete if Known**

Application Number	08/416,920
Filing Date	April 21, 1995
First Named Inventor	MILTENYI, Stephan
Examiner Name	R. Schwadron
Art Unit	1644
Attorney Docket No.	022370-000210US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 20-1430

Deposit Account Name: Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid
381	-359 =	2	X 18 =	36		
Independent Claims	51	-51 =		0		
Multiple Dependent			X	0		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	280	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)36.00

**or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	250	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (ilmas number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)****(\$)0****SUBMITTED BY**

Name (Print/Type) Randolph Ted Apple

Registration No. (Attorney/Agent)

36,429

Complete (if applicable)

Telephone

650-326-2400

Signature

Date

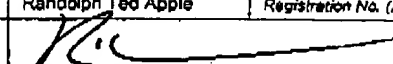
July 6, 2004

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60254469 v1

FEE TRANSMITTAL for FY 2004		Complete if Known	
Effective 10/01/2003. Patent fees are subject to annual revision.		Application Number	08/416,920
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	April 21, 1995
		First Named Inventor	MILTENYI, Stephan
		Examiner Name	R. Schwadron
		Art Unit	1644
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket No.	022370-000210US
36.00			

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																													
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SUBMITTED BY		Complete if applicable	
Name (Print/Type)	Randolph Ted Apple	Registration No. (Attorney/Agent)	36,429
Signature		Telephone	650-326-2400
		Date	July 8, 2004

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60254469 v1

JUL 6 2004

PATENT
Attorney Docket No.: 022370-000210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen MILTENYI et al.

Application No.: 08/416,920

Filed: April 21, 1995

For: DIRECT SELECTION OF CELLS
BY SELECTION PRODUCT

Customer No.: 20350

Confirmation No. 1047

Examiner: R. Schwadron

Technology Center/Art Unit: 1644

AMENDMENT

OFFICIAL

SUPPLEMENTAL AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An amendment was filed in this application on March 11, 2009. This is a supplemental amendment.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 50 of this paper.